UNPUBLISHED

UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

No. 00-1869

REBECCA MINIX, Individually,

Plaintiff - Appellant,

and

HEATHER KING,

Plaintiff,

versus

TRI CITIES HEALTH SERVICES CORPORATION, d/b/a Columbia River Park Hospital, formerly known as HCA River Park Hospital; RASHMI KUMAR, M.D.,

Defendants - Appellees,

and

CHERYL HENDERSON, as Guardian Ad Litem for Heather King; CORAZON N. CHUA, M.D.,

Parties in Interest.

No. 00-1877

REBECCA MINIX, as Next Friend and Legal Guardian of Heather King,

Plaintiff - Appellant,

and

HEATHER KING,

Plaintiff,

versus

TRI CITIES HEALTH SERVICES CORPORATION, d/b/a Columbia River Park Hospital, formerly known as HCA River Park Hospital; RASHMI KUMAR, M.D.,

Defendants - Appellees,

and

CHERYL HENDERSON, as Guardian Ad Litem for Heather King; CORAZON N. CHUA, M.D.,

Parties in Interest.

Appeals from the United States District Court for the Southern District of West Virginia, at Huntington. Robert C. Chambers, District Judge. (CA-98-352-3)

Submitted: November 28, 2000 Decided: December 12, 2000

Before WILLIAMS and MOTZ, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Rebecca Minix, Appellant Pro Se; Thomas Mitchell Plymale, Wayne, West Virginia; John Harlan Callis, BOEHL, STOPHER & GRAVES, Prestonsburg, Kentucky, for Appellant. Paul Thomas Farrell, Charlotte Ann Hoffman, Huntington, West Virginia; Mark Allen Robinson, FLAHERTY, SENSABAUGH & BONASSO, Charleston, West Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Rebecca Minix appeals the district court's order granting summary judgment to the Defendants in this medical malpractice action. We have reviewed the record and the district court's opinion and find no reversible error. We uphold the district court's determination that Minix failed to produce qualified expert witnesses as required by West Virginia law. See W. Va. Code § 55-7B-7 (1994). Accordingly, we affirm the district court's order. We deny Minix's motion requesting the court to require Heather King's counsel to file a form of appearance of counsel in this case. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

<u>AFFIRMED</u>